

REMARKS

Prior to this Amendment, Claims 3, 5-43 and 45-95 were pending.

Claims 27-30, 45-48, 64-66, 94 and 95, identified as belonging variously to unelected Groups II, III and IV, are now cancelled. These claims have been included in Divisional applications, namely SN 09/548,238, SN 09/548,237 and SN 09/548,235, each of which was filed on April 12, 2000.

Please note that Claim 49, although previously identified in Applicants' Reply to Restriction Requirement, filed November 29, 1999, as belonging to Group III, actually depends from Claim 3 and therefore properly belongs in elected Group I. Therefore Claim 49 has not been cancelled.

Claims 3, 5-26, 35-43, 49-63 and 79-93 have been rejected solely on the basis of the judicially created doctrine of obviousness-type double patenting as being unpatentable over various claims of U.S. Patent No. 5,708,780.

A terminal disclaimer in compliance with 37 CFR 1.321(c) is being filed concurrently with this Amendment. Therefore, claims 3, 5-26, 35-43, 49-63 and 79-93 should now be allowable.

Claims 31, 33 and 67, which have been rejected under 35 U.S.C. 102(a) or 103(a) in view of Kahan alone or Kahan in combination with Dedrick, have been amended such that they now depend from Claim 3. Therefore, Claims 31, 33 and 67, as well as their dependent claims, i.e., Claims 32, 34 and 68-75 respectively, should also be allowable. However, please note that Applicants disagree with the Examiner's reasoning and reserve the right to refile Claims 31, 33 and 67 as independent claims in a Continuation Application.

New dependent claims 96-107 have been added. Since these claims depend directly or indirectly from Claim 3, they too should be allowable. No new matter has been added.

CONCLUSION

In view of the above amendments and remarks, it is believed that all remaining claims, i.e., Claims 3, 5-26, 31-43, 49-63 and 67-93, as well as new claims 96-107, are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (781) 861-6240.

Respectfully submitted,

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